UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

United States of America

v.

Jesus Armando Beltran-Aguilar

Citizen of Mexico

USM#: 64575208 DOB: 1984

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed on or After November 1, 1987)

No. 07-10783-001M-SD

Richard L. Juarez (AFPD)
Attorney for Defendant

ICE#: A98 432 293

THE DEFENDANT ENTERED A PLEA OF guilty on 11/26/2007 to Count ONE of the Complaint.

ACCORDINGLY, THE COURT HAS ADJUDICATED THAT THE DEFENDANT IS GUILTY OF THE FOLLOWING OFFENSE(S): violating Title 8, USC § 1325, Illegal Entry, a Petty offense, as charged in Count ONE of the Complaint.

IT IS THE JUDGMENT OF THE COURT THAT the defendant is hereby committed to the custody of the Bureau of Prisons for a term of FIFTEEN (15) DAYS on Count ONE, with credit for time served.

CRIMINAL MONETARY PENALTIES

The defendant shall pay to the Clerk the following total criminal monetary penalties:

SPECIAL ASSESSMENT: $Remitted **FINE:** $ **RESTITUTION:** $

If incarcerated, payment of criminal monetary penalties are due during imprisonment at a rate of not less than $25 per quarter and payment shall be made through the Bureau of Prisons' Inmate Financial Responsibility Program. Criminal monetary payments shall be made to the Clerk of U.S. District Court, Attention: Finance, 880 Front Street, San Diego, California 92101. Payments should be credited to the various monetary penalties imposed by the Court in the priority established under 18 U.S.C. § 3612(c). The total special assessment of $Remitted shall be paid pursuant to Title 18, United States Code, Section 3013 for Count ONE of the Complaint.

Any unpaid balance shall become a condition of supervision and shall be paid within prior to the expiration of supervision. Until all restitutions, fines, special assessments and costs are fully paid, the defendant shall immediately notify the Clerk, U.S. District Court, of any change in name and address. The Court hereby waives the imposition of interest and penalties on any unpaid balances.

IT IS FURTHER ORDERED that the Clerk of the Court deliver two certified copies of this judgment to the United States Marshal of this district.

The Court orders commitment to the custody of the Bureau of Prisons.
The defendant is remanded to the custody of the United States Marshal.

Date of Imposition of Sentence: **Tuesday, November 27, 2007**

______________________________ Date 11/27/2007
JAY R. IRWIN, United States Magistrate Judge

RETURN

I have executed this Judgment as follows:______________________________

Defendant delivered on __________ to ____________________ at ____________________, the institution designated by the Bureau of Prisons, with a certified copy of this judgment in a Criminal case.

______________________________ By:______________________________
United States Marshal Deputy Marshal

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

United States of America, Plaintiff, vs. Jesus Armando Beltran-Aguilar Defendant.	CASE NUMBER 07-10783M-SD **WAIVER OF REMOVAL HEARING**

I waive my right to have a Removal Hearing and agree that my case may be adjudicated in the Southern District of California.

DATED this 27 day of Nov, 2006.

X [signature]
Defendant

[signature]
Attorney for the Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA - Yuma

MAGISTRATE JUDGE'S MINUTES

DATE: 11/27/2007 CASE NUMBER: 07-10783-001M-SD

PLEA/SENTENCING MINUTES

USA vs. Jesus Armando Beltran-Aguilar

U.S. MAGISTRATE JUDGE: JAY R. IRWIN Judge #: 70BK

U.S. Attorney ________________

INTERPRETER REQ'D Marcia Resler

LANGUAGE: Spanish

Attorney for Defendant Richard L. Juarez (AFPD)

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☐ RELEASED ☒ CUSTODY

DOA 11/25/07 ☐ Complaint Filed ☐ Appointment of counsel hearing held

☐ Financial Afdvt taken ☐ No Financial Afdvt taken ☐ Financial Afdvt sealed

☐ Initial Appearance

DETENTION HEARING: ☐ Held ☐ Cont'd ☐ Reset ☐ UA

Set for: before:

☐ Defendant ordered temporarily detained in the custody of the United States Marshal

☐ Defendant ordered released (see order setting cond of rel) ☐ Bail set at $__________

☐ Defendant continued detained pending trial ☐ Flight Risk ☐ Danger

PLEA HEARING: ☒ Held ☐ Cont'd ☐ Reset

Set for: before:

☐ Consent to be tried by a Magistrate Judge signed ☐ Class A Misd ☐ Class B Misd ☐ Class C Misd

☐ Consent of Defendant ☐ Information filed ________________ ☐ Complaint filed ________________

☒ Defendant sworn and examined by the Court ☒ Plea of Guilty ☐ Not Guilty ☒ Entered to Counts ONE

☐ Defendant states true name to be _____. Further proceedings ORDERED in defendant's true name.

☒ Plea of Guilty entered as to Ct(s) ONE of the ☐ Information ☐ Indictment ☒ Complaint

☒ Court recommends/or accepts defendant's plea and finds plea to be freely and voluntarily given.

☐ Plea agreement: ☐ Lodged ☐ Filed ☐ Sealed

☐ Court does not accept defendant's plea of guilty because ________________

☐ PSI ORDERED ☐ EXPEDITED ☒ PSI waived ☐ Time waived for passage of sentence

☐ Continued for sentence to __ before ________________

☐ To be dismissed upon entry of the judgment, Ct(s) ____

☒ ORDER vacate trial date/motion hearing/mtns moot

☐ ORDER defendant remain released pending sentence ☒ remanded to USM

SENTENCING:

☒ Defendant committed to Bureau of Prisons for a period of 15 Days ☐ Probation/Supervised Release for __________

☒ Special Assessment $ REMITTED ☐ Fine $_______ ☐ Restitution $________

Other: ________________

RECORDED: CS

BY: Jocelyn M. Arviso, Deputy Clerk

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA
V.
Jesus Armando BELTRAN-Aguilar
Citizen of Mexico
YOB: 1984
A98 432 293
Illegal Alien

CRIMINAL COMPLAINT

CASE NUMBER: 07- 10783M-SD

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

COUNT I

That on or about November 1, 2004, near Andrade, California in the Southern District of California, Defendant Jesus Armando BELTRAN-Aguilar, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325 (Misdemeanor).

Continued on the attached sheet and made a part hereof. ☒ Yes ☐ No

Mario Guerrero
Signature of Complainant
Mario Guerrero
Senior Patrol Agent

Sworn to before me and subscribed in my presence,

November 26, 2007 at Yuma, Arizona
Date / City and State

Mark Wayne Reeves, U.S. Magistrate
Name & Title of Judicial Officer

Mark Wayne Reeves
Signature of Judicial Officer

STATEMENT OF FACTUAL BASIS

Defendant: Jesus Armando BELTRAN-Aguilar

Dependents: None

IMMIGRATION HISTORY: The Defendant is an illegal alien and was previously removed on 10/28/04 through The San Ysidro Port of Entry.

CRIMINAL HISTORY:

DATE LOCATION	**OFFENSE**	**DISPOSITION**
None Found		

Narrative: The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Yuma Border Patrol agents near Somerton, Arizona.

The Defendant was questioned as to his citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States.

The Defendant was transported to the Yuma station for processing. During processing, questioning and computer record checks the above criminal and immigration information was obtained as it relates to this Defendant.

The Defendant last entered the United States illegally without inspection near Andrade, California on November 1, 2004.

Charges: 8 USC§1325 (Misdemeanor)

Mario Guerrero

Signature of Complainant

Sworn to before me and subscribed in my presence,

November 26, 2007

Date

Signature of Judicial Officer

UNITED STATES DISTRICT COURT MAGISTRATE JUDGE'S MINUTES
SOUTHERN DISTRICT OF CALIFORNIA - Yuma

DATE: 11/26/2007 CASE NUMBER: 07-10783M-001-SD

USA vs. Jesus Armando Beltran-Aguilar

U.S. MAGISTRATE JUDGE: MARK WAYNE REEVES FOR JAY R. IRWIN #: 70BK

A.U.S. Attorney ______ INTERPRETER Marcia Resler
LANGUAGE Spanish
Attorney for Defendant Matthew Johnson for Richard L. Juarez (AFPD)
MATERIAL WITNESS(es): ______
MATERIAL WITNESS(es) state true name(s) to be: ______
Attorney for Material Witness(es): _

DEFENDANT: ☒ PRESENT ☐ NOT PRESENT ☒ CUSTODY

DOA 11/25/07
☐ Financial Afdvt taken
☐ Rule 5(c)(3)
☒ Initial Appearance
☒ Defendant Sworn
☐ Defendant states true name to be ___. Further proceedings ORDERED in Defendant's true name.
☒ Appointment of counsel hearing held
☐ Financial Afdvt sealed

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DETENTION HEARING:
☐ Held ☐ Con't ☐ Submitted ☐ Reset
Set for:
Before:
☒ Defendant ordered temporarily detained in the custody of the United States Marshal
☐ Defendant ordered released ______
☐ Defendant continued detained pending trial
☐ Flight risk ☐ Danger

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IDENTITY HEARING:
☐ Held ☐ Con't ☐ Submitted ☐ Reset
☐ Waived
Set for:
Before:
☐ Warrant of removal issued.

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PRELIMINARY HEARING:
☐ Held ☐ Con't ☐ Submitted ☐ Reset
☐ Waived
Set for:
Before:
☐ Probable cause found ☐ Dismissed
☐ Held to answer before District Court

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STATUS HEARING: re: ______
☐ Held ☐ Con't ☐ Reset
Set for:
Before:

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Other: Plea and sentence set for 11/27/07 at 1:00 p.m.

Recorded by Courtsmart (IA: 2 MIN)
BY: Jocelyn M. Arviso
Deputy Clerk